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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 14, 1999

PETITION OF

AT&T COMMUNICATIONS OF VIRGINIA, INC.

CASE NO. PUC960117

For arbitration of unresolved  
issues from interconnection  
negotiations with GTE South, Inc.  
pursuant to § 252 of the  
Telecommunications Act of 1996

ORDER APPROVING INTERCONNECTION AGREEMENT

On December 11, 1996, the Commission entered its Order Resolving Outstanding Interconnection Disputes and Requiring Filing of Interconnection Agreement requiring GTE South, Inc. ("GTE") and AT&T Communications of Virginia, Inc. ("AT&T") to submit an interconnection agreement within thirty (30) days. Subsequently, the parties requested and received several extensions to this filing date. On June 24, 1997, GTE and AT&T submitted to the Commission an "Issues Binder" requesting resolution of numerous provisions upon which the parties still did not agree.

On April 14, 1999, AT&T and GTE submitted a draft interconnection agreement including only two remaining disputed contractual provisions. On May 7, 1999, AT&T submitted an Amended Motion of AT&T on Interconnection Agreement Between AT&T

and GTE, eliminating the request that the Commission resolve the two issues. Since the parties reached agreement regarding the text for those two provisions, AT&T and GTE submitted a final Interconnection, Resale and Unbundling Agreement ("Agreement"), also on May 7, 1999.

Both parties state that there are no disputes remaining between them with regard to appropriate contract language to implement the Commission's decisions in this arbitration proceeding. GTE, however, continues to assert its right to recover historic costs and its position that the Commission's decisions in this proceeding do not provide GTE with the cost recovery to which it is entitled under applicable law. Therefore, GTE does not join in AT&T's request that the Commission approve the agreement.

This Agreement now includes both the negotiated and arbitrated provisions as a single package, and the Commission can now review all portions to assure compliance with §§ 251 and 252 of the Act. Notwithstanding GTE's unwillingness to join in the request for approval, the Commission approves the Agreement and finds that it complies with §§ 251 and 252 of the Act. Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) Pursuant to the Commission's authority to regulate public service companies as authorized by the Va. Const. art.

IX, § 2 and § 56-35 of the Code of Virginia, the interconnection agreement submitted by AT&T and GTE is hereby approved as complying with § 252(e) of the Act.

(2) Pursuant to § 252(h) of the Act, a copy of this Agreement shall be kept on file in the Commission's Division of Communications for inspection by the public.

(3) This matter is continued generally for the consideration of a subsequent revision or amendments to the Agreement.